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Attorneys for Defendants
GENE HENSLEY, DAVID HERRICK,
JOHN HENLEY, PEGGY FRY and
JOHN McCONNELL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLARK and REBECCA WIXON and
NORMAN and BARBARA WIXON, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

WYNDHAM RESORT DEVELOPMENT
CORP. (f/k/a Trendwest Resorts, Inc.), GENE
HENSLEY, DAVID HERRICK, JOHN
HENLEY, PEGGY FRY, AND JOHN
McCONNELL,

Defendants.

Case No. C 07-2361 JSW

[PROPOSED]
AGREED SCHEDULE FOR
INDIVIDUAL DEFENDANTS'
MOTION TO DISMISS
AND ORDER

Plaintiffs and Defendants Gene Hensley, David Herrick, John Henley, Peggy Fry, and John McConnell ("Individual Defendants") hereby agree, subject to the approval of the Court, to the schedule set forth below for briefing and a hearing on the Motion to Dismiss that the Individual

Defendants will file in response to Plaintiffs' Amended Complaint. The parties to this Agreed Schedule believe it is appropriate because of the possibility that Plaintiffs will be required to conduct limited discovery to prepare their response to the Individual Defendants' motion and because of scheduling conflicts that can arise at this time of year.

The Individual Defendants anticipate that some or all of them will move to dismiss claims against them due to, among other things, lack of personal jurisdiction. Accordingly, Plaintiffs and the Individual Defendants further agree that, to the extent required to respond to the Individual Defendants' motion on the issue of personal jurisdiction, Plaintiffs shall be allowed to conduct limited discovery directed exclusively to this issue. Plaintiffs and Individual Defendants will negotiate in good faith to conduct any required discovery as expeditiously as possible.

Plaintiffs and the Individual Defendants further agree that, pursuant to Local Rule 7-2 through 7-4 and subject to the Court's approval, the opening and responsive briefs shall not exceed twenty-five (25) pages of text, and the reply brief shall not exceed fifteen (15) pages of text.

Plaintiffs and Individual Defendants agree to the following schedule:

Individual Defendants' motion to dismiss filed by December 7, 2007

Plaintiffs' response filed by January 18, 2008

Individual Defendants' reply filed by February 1, 2008

Hearing on motion to dismiss February 15, 2008

Dated: November 14, 2007

GIRARD GIBBS LLP

KIRKPATRICK & LOCKHART
PRESTON GATES ELLIS LLP

By _____ /s/
Jonathan K. Levine
Elizabeth C. Pritzker
Daniel T. LeBel

By _____ /s/
Judith H. Ramseyer
Matthew G. Ball
Philip M. Guess

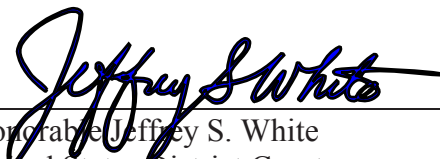
Attorneys for Individual and Representative
Plaintiffs Clarke and Rebecca Wixon and
Norman and Barbara Wixon

Attorney for Defendants Gene Hensley,
John Henley, David Herrick, Peggy Fry,
and John McConnell

ORDER

The Agreed Schedule for the Individual Defendants' Motion to Dismiss set forth above is hereby adopted as the order of this Court.

Dated: November 20, 2007



Honorable Jeffrey S. White
United States District Court